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NEGRO CONGRESSMEN A GENERATION AFTER

The period of reconstruction which followed the Civil War presented to the statesmen of that time three problems of unusual significance. These were: what should be the status of the eleven Confederate States; what should be done with the leaders of the Confederacy; and finally, what should be the rôle to be played by the several millions of freedmen? In the effort to deal effectively with these problems the Thirty-ninth and Fortieth Congresses adopted a reconstruction policy which provided for the readmission of the formerly rebellious States to the Union, the imposition of political disabilities upon many former Confederates, and the bestowal of citizenship and suffrage upon the freedmen. Upon the enlarged electorate the reconstruction of the States was undertaken.

That the freedmen, comprising in many communities a preponderance of voting power, should elect to public office ambitious outstanding men of their race was expected. At that time, therefore, Negroes attained not only local and State offices of importance, but also sat in the United States Congress. Indeed, during the period from 1871 to 1901, the latter year marking the passing of this type of Congressman, twenty-two Negroes, two of whom were senators, held membership in Congress. It seems, moreover, that men like Menard of Florida, Pinchback of

Louisiana, Lee and others, though unable to prove their contentions, were, nevertheless, contestants with good title.

This situation, no less unique than it was interesting, has become the source of interminable debate. It has been contended that because of the ignorance of the blacks, in letters, in manners, in business, and in the affairs of State, it was a serious mistake to enfranchise them, thus making possible for a period however brief their virtual direction of the political affairs of some of the Southern States. Consistent in principle, historians of this conviction have viewed with abhorrence the seating of black men in the highest legislative assembly of the land. Not all men, however, have concurred in this opinion. There were those who had precisely the opposite view, basing their argument on the necessity of the plan of reconstruction effected, in order to preserve to the Union the fruits of its victory.

The merits of that reconstruction are not here, however, at issue. Of far greater import for our consideration is the single fact that Negroes were thereby sent to Congress. Did the Negroes elected to Congress justify by their achievements their presence there? To what extent did they give direction to the thought and policies which were to govern and control in this nation? Manifestly an impartial judgment in this matter may be most adequately arrived at by the setting up of certain criteria of excellence expected to inhere in Congressmen and measuring by these the achievements of these functionaries. Considering the matter in this light, therefore, the following questions are advanced as bearing a direct relationship to the services of these Congressmen. First, what of their mental equipment to perform the tasks of law makers? Second, as measured by their experience in public positions of trust and by their grasp of the public questions at that time current, to what extent did they show capacity for public service? Third, in what directions were their chief interests manifested?

EVIDENCES OF MENTAL EQUIPMENT

Regarding the Negro Congressmen in the light of the standards already referred to, we shall first make inquiry as to their mental fitness to function as law makers. Broadly considered, they may be divided into two groups: first, those who possessed but limited education; second, those who were college bred.

Among the men comprising the first group, certain common characteristics are noticeable: first, they were mainly members of the earliest Reconstruction Congresses, beginning with the Forty-first, in which Negroes held membership, and were therefore but little removed from slavery; second, some of them were born of slave parents or had been, themselves, slaves; third, others were brought up in communities which expressly prohibited the establishment of educational institutions for Negroes; and fourth, all of them, by dint of severe application in later years, secured, prior to their election to Congress, a better education than rudimentary instruction. The members of this group were twelve in number, including Long¹ of Georgia; De Large,² Rainey,³ Ransier,⁴ and Smalls⁵ of South Carolina; Lynch⁶

¹ Jefferson F. Long was born in Crawford County, Georgia, March 3, 1836. Some time thereafter he moved to Macon, Bibb County, where, under the direction of his owner, he learned the tailor's trade. Prior to his election to the third session of the Forty-first Congress, Mr. Long conducted, in Macon, a thriving business as a merchant tailor. His patronage, which consisted largely of that of whites, was much decreased after his term in Congress, due no doubt to their resentment of his activities in politics. Mr. Long was a good speaker, a Christian gentleman, and a man of many fine qualities. Upon his death in Macon, February 4, 1900, his loss was mourned alike by whites and Negroes.—Chaplain T. G. Stewart, *Fifty Years in the Gospel Ministry*, p. 129.

Letter from Mrs. A. L. Rucker, Atlanta, Ga., daughter of Mr. Long. October, 1921.

² Robert C. DeLarge was born at Aiken, South Carolina, March 15, 1842. He received only a limited education and chose to pursue the occupation of farming. He entered politics in 1868, held several local and State offices, was elected to the Forty-second Congress, and on February 15, 1874, became a trial justice at Charleston.—*Biographical Congressional Directory*, p. 497.

³ Joseph H. Rainey was born of slave parents at Georgetown, S. C., June 21, 1832. He received a limited education. After following the trade of a barber, he was compelled, in 1862, to work on Confederate fortifications. From this work he escaped, going to the West Indies, where he remained till the end

and Bruce⁷ of Mississippi; Haralson⁸ and Turner⁹ of Alabama; Hyman¹⁰ of North Carolina; Nash¹¹ of Louisiana; and Walls¹² of Florida.

of the war. Upon his return to the United States, he entered politics. He served in the 42nd, 43rd, 44th, and 45th Congresses, and died at Georgetown, S. C., August 1, 1887.—*Biographical Congressional Directory*, p. 757.

⁴ Alonzo J. Ransier was born at Charleston, South Carolina, January 3, 1836. He received a limited education, entered politics, and held various offices. In 1868, he was a presidential elector, casting a vote for Grant and Colfax, while four years later he was a delegate to the Republican National Convention. He served as a member of the 42nd Congress and died at Charleston, S. C., August 17, 1882.—*Biographical Congressional Directory*, p. 759.

⁵ Robert Smalls was born a slave at Beaufort, South Carolina, April 5, 1839. Debarred by statute from attending school, he availed himself of such limited educational advantages as he could secure. In 1851, he moved to Charleston, worked as a rigger, and thereafter led a seafaring life. In 1861, he became connected with the *Planter*, a steamer plying in the Charleston Harbor as a transport, which he took over the Charleston bar in 1862 and delivered with his services to the commander of the United States blockading squadron. He was appointed a pilot in the Quartermaster's Department of the United States Navy, and remained in the service till 1866, and meanwhile rose to the rank of Captain. In 1868 he entered politics and was later elected to the 44th, 45th, 47th, 48th, and 49th Congresses. In the State militia of South Carolina, he held successively the commands of lieutenant-colonel, brigadier-general, and major-general, the latter terminating with the reorganization of the militia in 1877. Mr. Smalls was a delegate to several National Republican Conventions. His last public office was that of collector of the port of Beaufort.—*Biographical Congressional Directory*, p. 803.

⁶ John R. Lynch of Natchez, Mississippi, was born in Concordia Parish, Louisiana, September 10, 1847. He attended evening school at Natchez for a few months, and by private study acquired a good English education. He engaged in the business of photography at Natchez until 1869, when Governor Ames appointed him a justice of the peace. Mr. Lynch served in the 43rd, 44th, and 47th Congresses, and was elected to the 45th Congress, but was counted out. Later he served as Fourth Auditor of Treasury Department under President Harrison, and as a paymaster in the Volunteer Army during the Spanish-American War.—*Biographical Congressional Directory*, p. 662.

⁷ Blanche K. Bruce of Floreyville, Mississippi, was born in Prince Edward County, Virginia, March 1, 1841. A man of limited education, he became, in 1869, a planter in Mississippi. Later he became a member of the Mississippi levee board, served in several local offices, and finally was elected, in 1875, to the United States Senate where he served till 1881. Mr. Bruce died at Washington, D. C., March 17, 1898.—*Biographical Congressional Directory*, p. 420.

⁸ Jere Haralson was born a slave in Muscogee County, Georgia, April 1, 1846. He was emancipated in 1865, after which he acquired through self-instruction a fair education. After moving to Alabama, he entered into the politics of that State. Mr. Haralson was elected to the 44th Congress, but failed of re-election to the 45th.—*Biographical Congressional Directory*, p. 557.

As many as ten of the twenty-two Negro congressmen were men of college education. This training, however, varied widely in scope and purpose. Two men of this group became ministers of the gospel. One of them, Richard H. Cain¹³ of South Carolina, was trained at Wilberforce University, Xenia, Ohio, whence he left in 1861, at the age of thirty-six years, to begin a career in his chosen field; the other, Hiram R. Revels¹⁴ of Mississippi, was educated at

⁹ Benjamin Sterling Turner was born a slave at Halifax, North Carolina, March 17, 1825. In 1830, he moved to Alabama, where by clandestine study he obtained a fair education. He became a prosperous merchant, was elected to several local offices, and to the 42nd Congress. He was defeated for the 43rd.—*Biographical Congressional Directory*, p. 849.

¹⁰ John Adams Hyman was born a slave in Warren, North Carolina, July 23, 1840. He was sold and sent to Alabama, where he was emancipated in 1865. Returning to North Carolina, Mr. Hyman engaged in farming and acquired a rudimentary education. Entering politics in 1868, he was later elected to the 44th Congress. In June, 1877, he was appointed collector of internal revenue for the 2nd district of North Carolina.—*Biographical Congressional Directory*, p. 614.

¹¹ Charles E. Nash was a native of Opelousas, Louisiana. He was educated at New Orleans, later following the trade of bricklayer. In 1863, Mr. Nash served as a private in the Eighty third Regiment United States Chasseurs d'Afrique. He was later promoted to sergeant-major and lost a leg in the storming of Fort Blakeley. He was elected to the 44th Congress, but defeated for the 45th.—*Biographical Congressional Directory*, p. 713.

¹² Josiah T. Walls was born at Winchester, Virginia, December 30, 1842. He received a limited education, became a farmer, and in 1868 entered politics. Mr. Walls received a certificate of election as a representative from Florida to the 42nd Congress, but his seat was successfully contested by Silas Niblack. He was admitted, however, to the 43rd and 44th Congresses.—*Biographical Congressional Directory*, p. 864.

¹³ Richard H. Cain was born in Greenbrier County, Virginia, April 12, 1825. In 1831, he moved with his father to Gallipolis, Ohio. Of limited education prior to his marriage, and having entered the ministry at an early age, he found it to his advantage, at the age of 35 years, to undertake formal study at a recognized school of learning. Following a career as clergyman, missionary, and politician, he was elected to the 43rd Congress and re-elected to the 45th. After his retirement from Congress, Mr. Cain was elected the fourteenth bishop of the African Methodist Episcopal Church. He died in Washington, January 18, 1887.—*Biographical Congressional Directory*, p. 434.

¹⁴ Hiram R. Revels was born at Fayetteville, North Carolina, September 1, 1822. Being unable to obtain an education in his own State, he moved to Indiana and there began study for the ministry. At the outbreak of the Civil War, Mr. Revels assisted in the organization of the first two Negro regiments in Maryland. Having made a record for service among his people in the central

the Quaker Seminary in Union County, Indiana. Prior to their election to Congress, both of these men attracted wide attention as churchmen. Cain was for four years the pastor of a church in Brooklyn, N. Y., after which his congregation sent him as a missionary to the freedmen of South Carolina. Senator Revels, on the other hand, was widely known as a lecturer in the States of Indiana, Illinois, Ohio, and Missouri. For some time he preached in Baltimore, taught school in St. Louis, and among other things, organized churches and lectured in Mississippi. The wide experiences of both gentlemen offered to them unusual opportunities to develop the power, keenness of insight, and knowledge of human nature so essential to the leadership of men.

To some of these future Congressmen, the profession of teaching seemed more attractive than the ministry. Three of the number were destined to become educators. One of them, Henry P. Cheatham¹⁵ of North Carolina, attended the public and private schools near the town of Henderson, and was later graduated with honor from the college department of Shaw University. Immediately thereafter, in 1882, he was elected to the principalship of the Plymouth State Normal School, where he served until 1895. The second member of this group, George W. Murray¹⁶ of South Caro-

States, he went to Mississippi and there became interested in managing the freedmen's affairs. He was elected to several local offices and in 1870 was elected to fill an unexpired term in the United States Senate. After his retirement from Congress, Mr. Revels served as president of Alcorn University at Rodney, Mississippi, and later as pastor of the African Methodist Episcopal Church at Richmond, Indiana. He died January 16, 1901, at Aberdeen, Mississippi.—*Biographical Congressional Directory*, p. 763.

¹⁵ Henry Plummer Cheatham of Henderson, North Carolina, was born at Granville, North Carolina, December 27, 1857. After acquiring a good education, he entered the teaching profession. Later he became interested in politics and was elected to the 51st and 52nd Congresses. His last public office was that of Recorder of Deeds of the District of Columbia.—*Biographical Congressional Directory*, p. 450.

¹⁶ George Washington Murray was born of slave parents, September 22, 1853, near Rembert, Sumter County, South Carolina. At the age of eleven years, he found himself free, bereft of parents, completely dependent upon his own resources. His early life, therefore, was one of great trials and sacrifices. Pos-

lina, won by competitive examination a scholarship at the reconstructed University of South Carolina. There he remained until 1876, his junior year, when by the accession to power of an administration unfriendly to the coeducation of the races, he was forced to withdraw. For many years thereafter, Murray was engaged as a teacher in the schools of his native county.

John Mercer Langston¹⁷ of Virginia, the third member of the group of educators, was graduated, in 1849, at the age of twenty, from Oberlin College. Four years later, in 1853, he completed the work of the theological department of that school. Because of his ripe scholarship, moreover, unusual honors were conferred upon him by several American colleges and universities, and he was the recipient of several honorary memberships in scientific and literary institutions and associations of foreign countries. Indeed, there have sat in Congress few men of greater mental power and energy than John Mercer Langston.

Of the twenty-two Negroes who have sat in Congress, five were members of the legal profession. One of these men represented Alabama, two South Carolina, and two North Carolina. Robert Brown Elliott, the first member of this group of legally trained leaders, was perhaps the most outstanding and certainly the most brilliant of the Negroes who have served in Congress. Elliott¹⁸ entered

sessed, however, of a determination to live and learn, young Murray availed himself of every opportunity to improve his meagre stock of knowledge. So well did he succeed that his first day in school was spent as teacher rather than student. In later life, he acquired a good education, entered into the service of the public schools of his county and was finally elected to the 53rd Congress. Mr. Murray was elected also to the 54th, but secured his seat only after a successful contest with a leading Democrat of his State.—*Biographical Congressional Directory*, pp. 711-712.

¹⁷ John Mercer Langston was born in Louisa County, Virginia, December 14, 1829. He distinguished himself as an educator and won many honors in his field. Mr. Langston served also in many civic and political offices prior to his election to the 51st Congress. Due to the contest he was forced to make for his seat, Mr. Langston served actually a very short time in Congress. He died in Washington, D. C., November 15, 1897.—*Biographical Congressional Directory*, p. 643.

the High Hollow Academy of London, England, in 1853, at the age of eleven years. In 1859, he was graduated from Eton College. Later, he studied law and was admitted to the bar, where he practiced for some time before the courts of South Carolina. This superior training of Elliott no doubt contributed in large measure to his eminence in debate, which was so often manifested during the memorable sessions of the 42nd and 43rd Congresses.

James T. Rapier¹⁹ of Alabama, one of the really brilliant men in this group, acquired a liberal education, after which he studied law and practiced in his native State. Another member of the legal group was James E. O'Hara²⁰ of Enfield, North Carolina. Following his academic training which was received in New York City, O'Hara studied law, first, in North Carolina, and later at Howard University in Washington. In June, 1871, he was admitted to the bar of his State.

Two others of this group were Miller and White. The

¹⁸ Robert Brown Elliott was born in Boston, Massachusetts, August 11, 1842. He was educated in England, and upon his return to the United States entered into the politics of the State of South Carolina. Mr. Elliott was elected to the 42nd Congress and resigned before the term had expired; he was re-elected to the 43rd Congress and again resigned, this time to accept the office of sheriff.—*Biographical Congressional Directory*, p. 517.

¹⁹ James T. Rapier was born at Florence, Alabama, in 1840. He was sent to Canada to be educated, and while there was given the opportunity to recite before the late King Edward VII, then Prince of Wales, who was at that time visiting the United States and Canada. Prior to his election to Congress, Mr. Rapier held several local offices in Alabama and also aspired to become Secretary-of-State. In this contest he was defeated by one Nicholas Davis, a white man. Mr. Rapier was a partisan in the split in the Republican Party in his State, aligning himself with one Spencer, a Republican leader of that date. Losing in this contest, he lost also his ability to win votes and so was defeated in his attempt to seek re-election to the 44th Congress. Soon thereafter, Mr. Rapier gave his attention to farming and was highly successful as a cotton planter.—*Biographical Congressional Directory*, p. 760, and a statement of Thomas Walker, a local officer in Alabama during the reconstruction period.

²⁰ James E. O'Hara of Enfield, North Carolina, was born in New York City, February 26, 1844. He acquired a liberal education, read law, and entered into the politics of the State of North Carolina. After holding several local offices, he was elected to the 46th, 48th, and 49th Congresses, but was counted out in the former.—*Biographical Congressional Directory*, p. 722.

first one, Thomas E. Miller,²¹ of Beaufort, South Carolina, attended the free public school for Negroes in his native city. In 1872 he was graduated from the Lincoln University in Pennsylvania. Later, Miller read law, and in 1875 was admitted to practice before the Supreme Court of his State. The second of these two, George Henry White²² of North Carolina, studied first in his native State and later at Howard University. While there he pursued concurrently courses in liberal arts and in law. In January, 1879, he was admitted to practice before the Supreme Court of his State.

THEIR PUBLIC SERVICE PRIOR TO MEMBERSHIP IN CONGRESS

Perhaps the most accurate method whereby one's capacity for the performance of any service may be measured is that which seeks, first, to establish the experience of the individual in the performance of the identical or similar services, and second, to evaluate the degree of skill with which the individual, at a given time, performs the particular service. Regarded in this light, therefore, we subject the Negro Congressmen to this test: As measured by their experience in public positions of trust and confidence and by their grasp of the great public questions at that time current, to what extent did they show capacity for public service?

The first part of our query lends itself to solution with-

²¹ Thomas E. Miller was born in Beaufort County, South Carolina, at Ferrybeville, June 17, 1849. After acquiring a good education, he entered politics. Mr. Miller held many local and State offices, and was nominated by his party, in 1878, for the office of Lieutenant-Governor of the State. Due, however, to riotous actions of the Democratic party throughout the elections that year, the ticket was withdrawn. Mr. Miller was seated in the 51st Congress after a contested election with Col. William Elliott. In 1896, he was elected president of the State Colored College at Orangeburg, South Carolina.—*Biographical Congressional Directory*, p. 695.

²² George Henry White of Tarboro, North Carolina, was born at Rosindale, North Carolina, December 18, 1852. He acquired a good education, practiced law, and entered politics. After serving in several local and State offices, Mr. White was elected to the 55th and re-elected to the 56th Congress.—*Biographical Congressional Directory*, p. 877.

out difficulty. Indeed, one may with great ease establish the fact that, with but few exceptions, these men, prior to their election to Congress, had held public offices of honor and trust. A case in point is that of John Mercer Langston²³ of Virginia. While never a member of a State legislature, Langston was, nevertheless, brought often into other public service. Indeed he early attracted attention in Ohio by his service as a member of the Council of Oberlin and by his record in other township offices. Langston served as dean of the Law Department of Howard University, and in 1872 became Vice-President and Acting President of that institution. In 1885 he became President of the Virginia Normal and Collegiate Institute. He served, moreover, as Inspector-General of the Bureau of Freedmen, a member of the Board of Health of the District of Columbia, Minister resident and Consul-General to Haiti, and Charge d'Affaires to Santo Domingo. His election to Congress, therefore, was the crowning achievement of a lifelong public career.

Hyman,²⁴ O'Hara,²⁵ Cheatham,²⁶ and White,²⁷ all of North Carolina, had held public office prior to their election to Congress. Hyman and White had each been members of the State Senate, the former for six years, from 1868 to 1874, while O'Hara and White had each served in the lower house of the legislature. Hyman had been a delegate to the Constitutional Convention of 1868, moreover, while O'Hara, who had also served as chairman of the Board of Commissioners of the County of Halifax, had been a delegate to the Constitutional Convention of 1875. For the eight years from 1886 to 1894, White served as prosecuting attorney for the second judicial district of the State, while Cheatham, the fourth member of the North Carolina delegation, had held but one office, that of Register of Deeds for Vance County.

²³ *Biographical Congressional Directory*, p. 643.

²⁴ *Ibid.*, p. 614.

²⁵ *Ibid.*, p. 722.

²⁶ *Ibid.*, p. 450.

²⁷ *Ibid.*, p. 877.

It is especially significant that each one of the Negro Reconstruction Congressmen from South Carolina, namely Cain,²⁸ De Large,²⁹ Elliott,³⁰ Rainey,³¹ Ransier,³² and Smalls³³ were members of the State Constitutional Convention of 1868. Two of them, Cain and Rainey, had been formerly State Senators; Smalls had served two terms in the Senate and four in the House; while each of the others had been members for one term or more in the lower branch of the legislature. Ransier, moreover, had held, prior to his election to Congress, the high office of lieutenant-governor of the State; Elliott had served as adjutant-general, and Smalls had held successively the offices of lieutenant-colonel, brigadier-general and major-general in the State militia.

Of the two South Carolinians who served in Congress after the Reconstruction, Thomas E. Miller³⁴ was for four terms a member of the lower chamber of the State legislature and for one term a member of the Senate. Furthermore, he was for one term a school commissioner of his county, and received also his party's nomination for the office of lieutenant-governor of the State. Indeed, of the entire South Carolina group, Murray, alone, seems to have been elected to Congress without previously having held public office.³⁵ Jefferson F. Long,³⁶ of Georgia, was not unlike Mr. Murray in that the former had never held public office. In this, his experience differed from that of Walls, of Florida, who had been a member of the Florida State Senate.

Alabama sent to Congress three Negroes, Turner,³⁷

²⁸ *Biographical Congressional Directory*, p. 434.

²⁹ *Ibid.*, p. 497.

³⁰ *Ibid.*, p. 517.

³¹ *Ibid.*, p. 757.

³² *Ibid.*, p. 759.

³³ *Ibid.*, p. 803.

³⁴ *Ibid.*, p. 695.

³⁵ *Ibid.*, pp. 711-712.

³⁶ Letter from Mrs. A. L. Rucker, Atlanta, Ga., daughter of J. F. Long, Oct., 1921.

³⁷ Statement of Thomas Walker, Washington, D. C., a local officer in Alabama during the Reconstruction Period.

Rapier,³⁸ and Haralson.³⁹ Of these men Haralson alone had had experience in the legislature prior to his election to Congress, having served in both branches of that body. Turner was elected in 1868 to the city council of Selma. Later he became tax collector of Dallas County, but because of his inability to secure honest men as assistants, resigned the office. The third member of this group, James T. Rapier, served as an assessor and later as a collector of internal revenue in his State.

The two Negro United States Senators, Hiram R. Revels⁴⁰ and B. K. Bruce,⁴¹ both of Mississippi, and Representative John R. Lynch⁴² of the same State, had all served in public office before they were sent to Congress. Senator Revels had held several local offices in Vicksburg, while Senator Bruce, before he came to the Senate, had been sheriff, a member of the Mississippi levee board, and for three years the tax collector of Bolivar County. John R. Lynch, on the other hand, had served not only as justice of the peace, but also two terms in the lower house of the legislature, during the latter one of which he was the Speaker of that body. Unlike the Congressmen from Mississippi, Nash⁴³ of Louisiana held office for the first time when his state elected him a representative to Congress.

Accessible records and impartial and unbiased historians support the contention that with a few exceptions the record of these Negro functionaries was honorable. Corrupt government was not always the work of the Negro. In the chapter on reconstruction in his *The Negro in Our History*, C. G. Woodson states that local, state, and federal administrative offices, which offered the most frequent opportunity for corruption, were seldom held by Negroes, but rather by the local white men and by those from the North who had come South to seek their fortunes. In many

³⁸ Statement made by Thomas Walker.

³⁹ *Biographical Congressional Directory*, p. 577.

⁴⁰ *Ibid.*, p. 763.

⁴¹ *Ibid.*, p. 420.

⁴² *Ibid.*, p. 662.

⁴³ *Ibid.*, p. 713.

respects selfish and sometimes lacking in principle, these men became corrupt in several States, administering the government for their own personal ends. "Most Negroes who have served in the South," says he, "came out of office with honorable records. Such service these Negroes rendered in spite of the fact that this was not the rule in that day." New York, according to the same authority, was dominated by the Tweed ring, and the same white men who complained of Negro domination robbed the governments of the Southern States of thousands of dollars after the rule of the master class was reestablished.

NEGRO CONGRESSMEN IN ACTION

With the facts concerning the earlier experiences of these Congressmen in public life a matter of record, attention may now be centered upon the second aspect of the question of their capacity for public service—namely, that of their reactions to the great public questions of their day. Perhaps this topic may be most properly treated first by determining what were the problems of greatest public moment during the period in which these men were in Congress. From the year 1871—the period of service of the first Negro in Congress—throughout the first year of the administration of Rutherford B. Hayes, there were brought prominently before the public mind the questions of reconstruction, economic, social, and political, in the North and West as well as in the South. The exploitation of the public domain in the West, the development of transcontinental railroads and other means of communication, the plea for sound money, the economic regeneration of the South, the proper adjustment of the social relations between the two races living in that section, and the readjustment of political control in the former Confederate States were the great issues upon which, during this period, the attention of the nation was focused.

In the solution of some of these problems the Negro was intimately involved. What was to be his place in the scheme

of social adjustment in the South? What part was he to play in the economic regeneration of that section? How and to what extent should he maintain the political power delegated to him by the war amendments? Indeed, of utmost importance to the Negro was the proper solution of three perplexing problems: first, to secure to themselves the civil rights so freely exercised by other groups in the nation; second, to obtain national funds to aid education; third, to determine whether their former masters should be relieved of their political disabilities. It was to the solution of these problems, therefore, that the Negro Congressmen of that period especially addressed themselves.

The problem of civil rights, however, did not immediately take precedence. With the passage by Congress, in 1875, of a measure known as the Civil Rights Bill, which was supplementary to measures of the same sort previously enacted, the Negroes of the country were accorded the rights granted by the Constitution to all other citizens of the United States. The subsequent approval of this bill by the president, and the well-known policy toward the Southern States then adopted, served to remove from the fore of American politics the various issues arising from the larger problems of the social and political reconstruction of the South.

Economic questions then had more opportunity for consideration. A new era in the nation's development was ushered in, and with it came new issues and new policies. The question of the exploitation of the public domain in the West and that of transcontinental railway construction had long been before the nation and still remained, but in lieu of the others of the earlier period, there arose also such questions as the free coinage of silver, the bimetallic monetary standard, tariff for protection or for revenue only, and the Chinese immigration. Despite the new character of the great problems before the public forum, and of the consequent relegation to a minor position of national importance the problems of reconstruction in the South, the issues of

peculiar interest to the Negro were not so aptly settled. Indeed, it is to the discredit of the Supreme Court of the United States that in all cases coming before that body in which there was at issue a right granted by the Constitution to the freedmen, efforts were made to evade the real issue, or to interpret the laws so as to contravene the intent of the framers of the Constitution.⁴⁴ To urge the protection of the Negro in his exercise of the rights and privileges granted by the Constitution, to secure the enactment of laws with the purpose to secure to him a greater measure of opportunity for social advancement, to oppose the enactment of laws proposing to retard such progress, to stimulate a healthy public opinion favorable to the Negro's cause, to protest against every injustice, great or small, meted out to him, became, as never before, the imperative duties of the Negro members of Congress. Whatever other time and energy remained might be directed towards the solution of the other important issues before the public, but for the most part, the Negro Congressmen were of necessity compelled to defend those interests peculiar to the freedmen. The petitions which these Congressmen presented, the resolutions which they offered, the amendments which they proposed, the bills which they introduced or supported, and the issues which they discussed or debated, will enable one to ascertain to what extent these men viewed aright the needs of their constituents and of the nation. Because of the constitutional right of all citizens to petition Congress for a redress of grievances, however, Congressmen have, in general, considered it a duty to present to Congress the petitions of their constituents, whatever their nature may be. An examination of these, therefore, does not always assist in the effort to determine the interests of a statesman. The sole justification for their consideration in this case is the fact that they have formed, in many instances, the basis of the resolutions, motions and bills which were subsequently introduced.

⁴⁴ C. G. Woodson, *Fifty Years of Negro Citizenship*, JOURNAL OF NEGRO HISTORY, Vol. VI, p. 11.

While petitions of varying natures were presented by all of these legislators, three classes, particularly, claimed the attention of practically every one of them. These petitions sought the relief either of an individual or of an institution suffering from some misfortune of the war, made application for a pension, or requested the adjustment of a claim. Of greater significance, however, were the petitions which, while not so generally popular, led often to the introduction of legislative measures. Conspicuous among these were those seeking to remove the political disabilities of former secessionists, those praying that undesirable laws or privileges be abrogated, those advocating the passage of bills, those praying an investigation of the political methods used in certain States, those directing attention to conditions which merited legislative enactment, those praying an appropriation by Congress for the construction of public buildings, the promotion of public works, and the making of local improvements, and those endorsing movements for the good of the body politic.

One of the first problems of reconstruction that claimed the attention of the Negro Congressmen arose from the measures proposing to grant amnesty to the former Confederates who, by a provision of the Fourteenth Amendment to the Constitution of the United States, had been declared ineligible to vote and to hold office. In reference to this matter, Jefferson F. Long, a representative from Georgia to the Forty-first Congress, spoke in a manner reflecting the attitude of many of the Negro Congressmen who were to follow him. His forceful protest maintained that any modification of the test oath as then administered, having the purpose to bring about a general removal of political disabilities, would effect the subjugation of the loyal men of the South to the disloyal. It would, moreover, appear to the Ku Klux Klan to be an indorsement of their campaign of lawlessness, depredation, and crime, fostered and abetted by the men whose political disabilities it was then being sought to remove.⁴⁵

⁴⁵ *Congressional Globe*, 41st Congress, 3rd Session, p. 881.

Speaking on the enforcement act, on which he stated first his own position and later that of the Republican Party in his State, Revels, the Senator from Mississippi, said: "I am in favor of removing the disabilities of those upon whom they are imposed in the South just as fast as they give evidence of having become loyal and of being loyal. If you can find one man in the South who gives evidence of the fact that he has ceased to renounce the laws of Congress as unconstitutional, has ceased to oppose them, and respects them and favors the carrying of them out, I am in favor of removing his disabilities; and if you can find one hundred men that the same is true of, I am in favor of removing their disabilities. If you can find a whole State that this is true of, I am in favor of removing the disabilities of all its people."⁴⁶

Revels at that time had reasonable grounds for supporting amnesty, but conditions soon changed. Speaking in the 42nd Congress as it regarded the enforcement of the 14th Amendment, Rainey felt that too much amnesty had led to the murderous activities of the disloyal after they had reached the point of acquiescing. He said:⁴⁷ "If the Constitution which we uphold and support as the fundamental

⁴⁶ "In regard to the State of Mississippi," continued Senator Revels, "I have this to say: The Republican Party now dominating there pledged itself to universal amnesty. That was in their platform; these speakers pledged themselves to it and the legislature redeemed that pledge, unanimously adopting a resolution asking Congress to remove the political disabilities of all the citizens of Mississippi, which resolution they placed in my hands, and made it my duty to present here, and which I have presented.

"Now I can say more, I believe, for the State of Mississippi, than I can say for any other of the lately insurrectionary States. I do not know of one State that is altogether as well reconstructed as Mississippi is. We have reports of a great many other States of lawlessness and violence, and from parts of States we have well-authenticated reports of this effect; but while this is the case, do you hear one report of any more lawlessness in evidence in the State of Mississippi? No! The people now I believe are getting along as quietly, pleasantly, harmoniously, prosperously as the people are in any of the formerly free States. I think this is the case, I do not think my statement exaggerates anything at all. Now, sir, I hope that I am understood. I am in favor of amnesty in Mississippi. We pledged ourselves to it. The State is for it."—*Congressional Globe*, 41st Congress, 2nd Session, p. 3520.

⁴⁷ *Ibid.*, 42nd Congress, 1st Session, p. 393.

law of the United States is inadequate to afford security to life, liberty, and property—if, I say, this inadequacy is proven, then its work is done, then it should no longer be recognized as the magna charta of a great and free people; the sooner it is set aside the better for the liberties of the nation.” Another member of the 42nd Congress, Robert C. De Large of South Carolina, while speaking on the bill for the removal of political disabilities, made it quite clear that he would not support the bill unless the gentlemen for it would support a measure to protect the loyal people of the South.⁴⁸

Notable among the speeches on the question of amnesty was that made by Elliott protesting against a bill to this effect by Beck of Kentucky. Contending that the men now seeking relief were responsible for the crimes perpetrated against the loyal men of the South, Elliott maintained that the passage of the bill would be nothing less than the paying of a premium on disloyalty and treason at the expense of those who had remained loyal. Pointing out the cause of their disfranchisement, he demanded in the name of the “law-abiding people of his constituency, whites as well as Negroes,” the rejection of this bill and the protection of those whose “only offense was their adherence to the principles of freedom and justice.”⁴⁹ That the proposed bill was defeated⁵⁰ was perhaps in some measure due to his masterful arraignment of its purposes.

Contemporaneous with the question of amnesty, and lasting throughout the thirty years during which Negroes served in Congress, the problem of securing civil rights for the freedmen or of protecting them in the exercise of such rights demanded, to a greater extent than any other, the energy and efforts of the Negro Congressmen. Indeed, but few of the men of this group failed during their careers in Congress to register their opinions on this all-absorbing matter.

⁴⁸ *Congressional Globe*, 42nd Congress, 2nd Session, p. 103.

⁴⁹ *Ibid.*, 42nd Congress, 1st Session, pp. 102–103.

⁵⁰ *Ibid.*, 102–103.

Remarking at length on the Georgia bill,⁵¹ Senator Revels spoke out fearlessly in the defense of his race. He defended the Negroes against charges of antagonism and servile strife, lauded the conduct of Negro soldiers in the Civil War and the part they played in saving the Union. He called attention to the loyalty of the Negroes in protecting the white women and their homes, with the knowledge that the masters were engaged in the prosecution of a war the success of which would have meant permanent bondage to the blacks. He asserted that the Negroes bore toward their former masters no revengeful thoughts, no hatreds, no animosities. He recounted the iniquities of the bill then before the body, prayed the protection of those whose rights were thereby threatened, and appealed to Congress to give to the reconstructed State such direction and support as would best meet its most imperative needs.

The discussion of the civil rights bill gave rise to one of Robert Brown Elliott's greatest speeches.⁵² Arising to defend the bill, he proceeded to refute the proposition advanced by Beck of Kentucky and supported by Stephens of Georgia, that Congress had no power to legislate against a plain discrimination made by State laws or customs against any person or class of persons within its limits. In reference to the decision of the Slaughter House Cases of Louisiana, which the gentlemen had advanced in support of their thesis, Elliott pointed out the difference in principle between the issues there involved and those at hand. In the former case the court held the act in question to be "a legitimate and warrantable exercise of the police power of the State in regulating the business of stock landing and slaughtering in the city of New Orleans and the territory immediately contiguous." In this case, however, the evils complained of comprehended "the exclusion of certain classes of persons from public inns, from the saloons and tables of the steamboat, from the sleeping-cars on railways, and from the right of sepulchre in public burial-grounds."

⁵¹ *Congressional Globe*, 41st Congress, 2nd Session, p. 1287.

⁵² *Congressional Record*, 43rd Congress, 1st Session, pp. 407-410.

The Supreme Court, Elliott contended, has recognized two classes of citizenships, state and national, but nowhere is there denied to Congress the power to prevent a denial of equality of rights, whether those rights exist by virtue of citizenship of the United States or of a State. It followed, therefore, that it is within the authority of Congress to see that no State deny to one class of citizens or persons, rights which are common to other citizens, unless it can be shown to be for the good of all, or pursuant to the legitimate exercise of its police power. Rejecting such classification of the case at hand and pointing out from the decision of the Slaughter House Cases the express recognition of Congress to pass such a bill as the one then under discussion, he concluded that the Constitution warranted the passage of the bill, the Supreme Court sanctioned it, and justice demanded it.⁵³ Elliott submitted also a resolution directing the Judiciary Committee to report a civil rights bill.⁵⁴

The civil rights of the Negroes constituted the general theme of the remarks made by Alonzo J. Ransier, a representative from South Carolina in the Forty-third Congress. In the first instance he spoke in refutation of the allegations of certain members of the opposition to the effect that the mass of Negroes did not want civil rights. Ransier sought mainly to show, by the presentation⁵⁵ of data in form of resolutions from Negro bodies and conventions, the intense desire of the race for civil rights. During the course of these remarks, Ransier served notice of his intention to offer to the civil rights bill an amendment to prevent the disqualification of competent citizens for service as jurors in any court in the nation because of "race, color, or previous condition of servitude." The amendment would provide also for the repeal of all laws, statutes, and ordinances, national or State, which were devised to discriminate against any citizen on account of color by the use of the word "white."⁵⁶

⁵³ *Congressional Record*, 43rd Congress, 1st Session, pp. 407-410.

⁵⁴ *Congressional Globe*, 42nd Congress, 2nd Session, p. 3383.

⁵⁵ *Congressional Record*, 43rd Congress, 1st Session, pp. 1311-1314.

⁵⁶ *Ibid.*, p. 407.

The civil rights of the Negro found nowhere a more ardent champion than James T. Rapier, a representative from Alabama in the Forty-third Congress. In a speech on the measure supplementary to the civil rights bill, Rapier made a lucid analysis of the anomalous position then occupied by the Negro in the United States. Pointing out that Negroes were accorded political rights without the civil, he deplored the whole situation and challenged the truth of the statement that America is the asylum for the oppressed. Averring that the problem was national in scope, he asserted the constitutional authority of Congress to solve it. Denying the contentions of Alexander H. Stephens, of Georgia, Rapier deplored the apparent inability of that gentleman to comprehend the new order ushered in since the formerly sat in Congress. Stephens, he said, maintained the ideals of the old South. Thus, despite the decision of the war that national rights are paramount to those of the States, Stephens urged that it is the prerogative of the States to confer civil rights upon the Negro, and contended that such action should be left to the States. He thereby offered no constitutional objection to the bestowal of civil rights upon the Negro, but advanced a principle, the acceptance of which would forever preclude his enjoying them. To this proposition Rapier could not assent. That the Negro was considered to possess no rights under the Constitution, he maintained, was fully demonstrated by Kentucky and other Southern States, in which they were denied the privilege of testifying in court against a white man, were refused the right to education by the destruction of their schools and the visitation of violence upon their teachers, and were prevented by the Ku Klux Klan from exercising their right of suffrage. Such actions, he insisted, were in conflict with the contention that the States would eventually confer upon Negroes civil rights. In conclusion he declared that the Negro had earned all the rights that he then exercised as well as those enjoyed by other citizens, that the current conditions constituted a stricture on the fair name

of America, and that the solution of the problem lay in the immediate passage by Congress of the Civil Rights Bill then being considered.⁵⁷

Not unlike his colleagues, Richard H. Cain, a representative from South Carolina to the Forty-third and Forty-fifth Congresses, gave to the matter of civil rights much of his time and energy. Replying in part to Vance of North Carolina, Cain denied that the Civil Rights Bill, if passed, would be without the limits of the Constitution or that it would enforce "social equality," maintaining that the regulation of that condition was without the province of legislation. Cain asserted that the Negroes of South Carolina did not enjoy, in public places, all the "rights, privileges and immunities" accorded to other citizens and showed that the admission of Negro students to the University of South Carolina had not effected its destruction. He did not believe that the passage of the bill would alienate from the Negroes the white men of the South who were then friendly to them. Cain reviewed, furthermore, the history of the part played by the Negro in the economic and industrial development of the nation, pointed out the importance of giving to him, in every State, the best possible school facilities, asserted the right of the Negro by statutory enactment to his full civil liberties, and insisted that in the name of justice he should demand for himself all the rights, privileges and immunities accorded to other citizens.⁵⁸ Conforming in principle to the doctrine that he had pronounced, Cain introduced before Congress a bill supplementary to the Civil Rights Act.⁵⁹

Much of the energy of James E. O'Hara, a representative from North Carolina, in the Forty-eighth and Forty-ninth Congresses, was directed toward the protection of the Negro in the exercise of his civil rights.⁶⁰ During the course of his remarks on the bill to regulate interstate commerce,

⁵⁷ *Congressional Record*, pp. 4782-4786.

⁵⁸ *Ibid.*, pp. 565-567.

⁵⁹ *Ibid.*, p. 64.

⁶⁰ *Ibid.*, p. 64.

he offered an amendment to the effect that any person or persons having purchased a ticket to be conveyed from one State to another, or paid the required fare, should receive the same treatment and be offered equal facilities and accommodation as are furnished all other persons holding tickets of the same class, without discrimination. In support of this amendment, he asserted the constitutional right of Congress to regulate commerce between the States, and that the action contemplated by his amendment came within the scope of this constitutional power. Denying that it was class or race legislation, he maintained that it was in line with the enlightened point of view of the age. The amendment was passed.⁶¹ His opponents, however, were not sufficiently progressive to leave his victory intact.

A defense of the civil rights of the Negro was brought prominently to the fore in the Fifty-first Congress. In his remarks on the affairs of South Carolina,⁶² Thomas E. Miller, a representative from that State, declared that the Negroes of South Carolina were suffering from several distinct causes. Among these causes he named lynch law, the petty system of theft which deprived them of the fruits of their daily toil, and injustice in the courts in which they had no rights where their interests and those of the whites conflicted. He demanded for them trial by jury, pay for their work, and the assurance that their lynchers would not become also their legislators. These considerations, he maintained, were of invaluable importance to the country. Miller, furthermore, deplored the action of the Governor of his State, which refused State aid to Negro schools and caused to be closed certain white colleges which had the courage to consider, in a sane way, the so-called Negro problem.

In the Fifty-fifth and Fifty-sixth Congresses, the questions of the protection of the Negroes in the exercise of their civil rights demanded virtually the entire attention of

⁶¹ *Congressional Record*, 48th Congress, 2nd Session, p. 297.

⁶² *Ibid.*, 51st Congress, 2nd Session, p. 1216.

George H. White, who was at that time the sole Negro member of Congress. Among his many protests of discrimination, appeals for just treatment, and discourses on the upright character of his race, there were no speeches more significant nor more prophetic than his arraignment of the apathetic manner with which Congress had greeted his bill, designed "to give to the federal government entire jurisdiction over all cases of lynching and death by mob violence." If, he declared, the nation is to avoid the state of anarchy and moral decay to which conditions were then rapidly leading, there remained no alternative, save the enactment, by some future Congress, of a law to constitute lynching a federal offense.⁶³

EDUCATION

Despite the great significance attached by many of the Congressmen to the civil rights of the Negroes, that of the education of the freedman was considered hardly less important. One of the first Negro Congressmen to commit himself on this problem was Rainey of South Carolina. That he had the proper grasp of the educational needs of his country is shown by his forceful speech made for national aid to education. He contended that the natural result of this mental improvement will be to impart a better understanding of our institutions, and thus cultivate a loyal disposition and lofty appreciation for them. "The military prowess and demonstrated superiority of the Prussians, when compared to the French, especially in the late war [The Franco-Prussian War]," said he, "is attributable to the fact that the masses of the former were better educated and trained than those of the latter. The leavening spirit of the German philosophers has apparently pervaded all classes of the population of that empire."⁶⁴

The same problem of the education of the Negroes evoked from Walls, of Florida, an opinion replete with

⁶³ *Congressional Record*, 56th Congress, 2nd Session, p. 1634.

⁶⁴ *Congressional Globe*, 42nd Congress, 2nd Session, p. 813; App., p. 15.

sound judgment on the matter. Replying to the objection of McIntyre, of Georgia, that the establishment of a national education fund would interfere with States' rights, Walls conceded, first, that the Constitution confers upon the States all those rights neither expressly delegated to the Federal Government nor prohibited to the States, and second, that one of those rights is the power of regulating common schools; but he doubted the applicability of that principle in this instance. The enemies of progress in the South, he maintained, opposed the education of the masses both of Negroes and whites because of its tendency to liberalize these people. He assigned this policy, therefore, as the motive underlying the opposition of McIntyre to the establishment of a national education fund. He rejected the proposition advanced by McIntyre that the \$300,000 appropriated by the legislature of Georgia, of which the Negroes are entitled to a portion, would be shared by them. Continuing, Walls pointed out the activities of the Ku Klux Klan, and the burning of Negro homes and of their schools as inconsistent with the contention that they would receive a fair distribution of the school fund. He reviewed, moreover, the history of the free school movement in Florida and Georgia, assigning the cause of its failure. Concluding his speech with a summary arraignment of the policy of that time, he urged not only the establishment of a national education fund but also of a national education system as constituting the sole assured method whereby the poor whites and Negroes of the South might secure proper educational facilities.⁶⁵

Walls, moreover, submitted a resolution calling for a statement relative to the public lands granted for school purposes, and thereafter introduced bills for the purpose of making large grants of the public lands to schools.⁶⁶ Contemporary with Walls in the Forty-third Congress, R. H. Cain shared with him great concern over the question of

⁶⁵ *Congressional Globe*, pp. 808-810.

⁶⁶ *Ibid.*, 42nd Congress, 1st Session, p. 3655; 3rd Session, p. 220. *Congressional Record*, 43rd Congress, 1st Session, pp. 87, 88.

educating the masses. In the Forty-fifth Congress, he proposed a measure,⁶⁷ somewhat similar to one previously submitted by Jere Haralson, to establish an educational fund and to apply the proceeds of the public lands to the education of the people.⁶⁸

PROTECTION OF LOYAL CITIZENS

The protection of the loyal people of the South claimed also the attention of Negro Congressmen. When, therefore, the House had under consideration the bill to enforce the 14th Amendment, Robert C. De Large made eloquent remarks replying to Cox of New York, who had denounced the "ignorant" rulers of South Carolina for their "rapacity," which in his opinion justified the activities of the Ku Klux Klan.⁶⁹ It was in the defense of the bill for the

⁶⁷ *Congressional Record*, 45th Congress, 2nd Session, p. 1646; 44th Congress, 1st Session, pp. 2714, 3602.

⁶⁸ At a later date, Langston, in the Fifty-first Congress, introduced a measure for the establishment of normal and industrial schools for Negroes. These numerous measures were referred invariably to the Committee on Education and Labor, from which they were usually reported adversely to the House.—*Congressional Record*, 51st Congress, 2nd Session, p. 1650.

⁶⁹ In placing the responsibility with both parties, DeLarge said: "Mr. Speaker, when the governor of my State the other day called in council the leading men of the State, to consider the condition of affairs there and to advise what measures would be best for the protection of the people, whom did he call together? The major portion of the men whom he convened were men resting under political disabilities imposed by the Fourteenth Amendment. In good faith, I ask the gentlemen on this side of the House, and gentlemen on the other side of the House, whether it is reasonable to expect that those men should be interested, in any shape or form, in using their influence and best endeavor for the preservation of the public peace when they have nothing to look for politically in the future? You say that they should have the moral and material interest of their State at heart, though even always denied a participation in its honors. You may insist that the true patriot seeks no personal ends in acts of patriotism. All this is true, but, Mr. Speaker, men are but men everywhere, and you ought not to expect of those whom you daily call by opprobrious epithets, whom you daily remind of their political sins, whom you persistently exclude from places of the smallest trust in the government you have created, to be very earnest to cooperate with you in the work of establishing and fortifying the government set up in hostility to the whole tone of their prejudices, their connections, and their sympathies. What ought to be is one thing; what in the weakness and fallibility of human nature will be is quite another thing. The statesman regards the actual and acts upon it; the desirable, the possible, and

protection of life and property in the South⁷⁰ that Robert B. Elliott had occasion to speak. He showed that the argument upon the pending bill had proceeded upon a question of constitutional law, the opponents denying that its provisions were warranted by the Constitution of the United States, and questioning the data upon which the proposed bill was founded. The probable efficacy of the bill, as a measure of relief and protection for the loyal men of the South from the extraordinary system of oppression to which they were subjected, had not been assailed. Elliott, therefore, undertook to prove that the proposed bill was not obnoxious to the spirit of the Constitution, that it was founded on reason, and that in view of the state of affairs then existing in the South, it was, as a measure of protection, not only warranted, but imperatively demanded.

For his first task, Elliott was compelled to sustain the position that the government of the United States has the right, under the Constitution, to protect a citizen of the United States in the exercise of his vested rights as an American citizen, by the exercise of direct force, or the assertion of immediate jurisdiction through its courts, without the appeal of the State in which the citizen is domiciled. Asserting the legal maxim that where power is given the means of its execution are implied, he sought to establish that the power had been given by Article IV of the Constitution, which imposes upon the Federal Government the duty to protect the States against domestic violence. He attempted, moreover, to establish by the authority of the preamble to the Constitution the violence of the "presumption that the majority of the people of a State may be oppressively subordinated to the minority." To support his own constructions of the Constitution, Elliott quoted Justice Story on this same issue, pointed out the inconsistencies in the argument of his chief opponent, defined within the meaning of the Constitution a republican form of govern-

even the probable furnishes but poor basis for political action."—*Congressional Globe*, 42nd Congress, 1st Session, App., pp. 230-231.

⁷⁰ *Ibid.*, 42nd Congress, 1st Session, p. 376.

ment and thereafter affirmed that the bill in hand came within the limits of the Constitution.

Elliott had next to establish the validity of the facts upon which the proposed bill was founded. Little difficulty, indeed, was experienced in bringing forward convincing evidence. There were presented before the House numerous editorials from Southern newspapers showing the animus of the enemies of the Negro; the report of the partisan committees of Charleston in 1868; communications appearing in the *Newberry*, South Carolina, *Herald* of July 17 in 1868; the Ku Klux Klan order appearing in the *Charleston News* of January 31, 1871; and the printed allegements of leading unreconstructed Southerners, all of which tended to indicate to what extent violence had superseded law, and exactly how unsafe were the lives and property of the loyal people of the South. Elliott quite properly affirmed, therefore, the urgent need for the passage of the bill as a measure of relief and protection to those in the South, whose liberties had been assailed.

On the political conditions in the South during the decline of the Reconstruction régime many Congressmen spoke with seeming authority. Two speeches of note on Southern conditions were made, during the Forty-second Congress, by Robert Brown Elliott. On May 30, 1872, he addressed the House on the subject of the Ku Klux Klan. In this speech, he exposed the whole scheme of domination by violence as effected by that element of the Southern whites who would either "rule" or ruin the governments of the several States." The second speech followed remarks by Voorhees, of Indiana, on the misconduct in financial matters of the administration of South Carolina. Replying to the specific charge that his party had been guilty of an over-issue of bonds, Elliott reviewed briefly the financial history of his State for the period in question and, in conclusion, pointed out, first, that "in a legal sense an over-issue of bonds is an issue made in excess of such issue authorized by law,"

⁷¹ *Congressional Globe*, 42nd Congress, 3rd Session, p. 4039.

and second, that no act of the General Assembly of South Carolina had limited the extent of bonds to be issued in that State.⁷²

An unceasing interest in the political conditions of the South was manifested by John R. Lynch of Mississippi throughout his three terms in Congress. He was quite active in proposing legislation relating to the Southern judicial districts of Mississippi, and he offered also an amendment to the federal election laws.⁷³ Remarks made by him comprehended discussions of such subjects as the political affairs of the South, reconstruction and restoration of white rule in Mississippi, and "the Southern Question."⁷⁴ In his analysis of the "Southern Question," Lynch attributed the condition of the South to certain underlying causes, namely: (1) "A continuous and unnecessary opposition of the impracticable element within the ranks of the Democratic Party to the system of reconstruction finally adopted by Congress, and a stubborn refusal on their part to acquiesce in the results of the War"; (2) "the persistent and uncharitable opposition of this same element—the element that had obtained control of the party organization and therefore shaped its policy—to the civil and political rights of Negroes"; and (3) "the methods of the so-called white-league whereby an armed military organization was maintained to effect a condition of white supremacy." Lynch, in concluding, appealed to the fairminded and justice-loving people of America to unite in a common effort to eradicate these evils and secure to the Negroes the rights that they so justly merited.

Referring to the same situation, Charles E. Nash, a representative from Louisiana to the Forty-fourth Congress, held to be unjustified the attacks upon the character of the white men and the integrity and ability of Negroes in the South, who had joined purposes to promote the prin-

⁷² *Congressional Globe*, 42nd Congress, 3rd Session, App., p. 475.

⁷³ *Congressional Record*, 43rd Congress, 1st Session, p. 1121; 44th Congress, 1st Session, p. 206; 47th Congress, 1st Session, p. 3946.

⁷⁴ *Ibid.*, 44th Congress, 1st Session, pp. 3825-3826; 3781-3784; 5540-5543.

ciples of justice and of sectional harmony. Furthermore, he entered a general denial of the charge that liberty in Louisiana had been destroyed, and pointed out the need of a policy of cooperation between the whites and blacks, to the end that the education of both races might be fostered, that the indiscriminate and illegal killing of Negroes might be eliminated, and that the reign of terror effected by a union of the ruffian whites and ignorant blacks might be prevented. Nash then extolled the record of the party in power for its fairness to the Negro, and arraigned the attitude of the opposition to all measures designed to ameliorate the condition of the race. Concluding his remarks, Nash preached the sound doctrine that sectional animosities should be buried and that all units and sections of the nation should cooperate to the end that a greater, more humane and more powerful America might be evolved.⁷⁵

The most comprehensive remarks of Smalls of South Carolina concerned the electoral vote and the policy of parties in his State.⁷⁶ In this he pointed out that ruffians had intimidated the black voters, had driven out the white, and had perpetrated crimes and election frauds to the end that the political control of the State might be recommitted to the hands of reactionaries. Concerning the frauds committed in the election held prior to the Forty-fourth Congress, facts and figures were presented in great detail to verify his contentions.

During his discussion of the proposal to investigate the frauds in the late election in Mississippi, B. K. Bruce, a senator from that State, came fearlessly to the defense of his State government. On this occasion, also, he put into the record valuable statistics showing the progress of the freedmen in Mississippi. The Negroes, he believed, had suffered on account of leadership, but they had, at that time, better leaders who, though not all educated, yet understood the duties of citizenship. Senator Bruce⁷⁷ believed that the

⁷⁵ *Congressional Record*, pp. 3667, 3668, 3669.

⁷⁶ *Ibid.*, 44th Congress, 2nd Session, App., pp. 123-136.

⁷⁷ *Ibid.*, 44th Congress, 1st Session, pp. 2100-2105.

thing needed was peace and good order at the South, but it could come only by the fullest recognition of the rights of all classes. The opposition would have to concede the necessity of change, not only in the temper, but in the philosophy of their party organization and management. The sober American judgment would have to obtain in the South, as elsewhere in the Republic, since the only distinctions upon which parties can be safely organized in harmony with our institutions, are differences of opinion relative to principles and policy of government; because differences of religion, nationality, race, can neither with safety nor propriety be permitted to enter into the party contests. The unanimity with which the Negro voters acted with a party was not referable to any race prejudice. On the contrary, the Negroes invited the political cooperation of their white brethren, and voted as a unit because proscribed as such. They deprecated the establishment of the color line by the opposition, not only because the act was unwise and wrong in principle, but because it isolated them from the white man of the South and forced them in sheer self-protection and against their inclination to act seemingly upon the basis of race prejudice which they neither respected nor entertained. As a class he believed they were free from prejudices and had no uncharitable suspicions against their white fellow citizens, whether native born or settlers from the Northern States. "When Negroes," continued he, "can entertain opinions and select party affiliations without proscription, and cast their ballots as other citizens and without jeopardy to person or privilege, they can safely afford to be governed by the considerations that ordinarily determine the political actions of American citizens." Senator Bruce asked, therefore, not for new laws, but rather for the enforcement of the old. Peace in the South could come, he believed, only by guaranteeing the protection of the law.

Replying in part to the remarks of Senator Colquitt, from Georgia, Miller, a representative from South Carolina

in the Fifty-first Congress, spoke impressively on the subject, "Southern Affairs."⁷⁸ The colleague of Miller in this Congress, John M. Langston of Virginia, spoke at great length on the federal election laws, pointing out the need for an adequate legislation and its proper enforcement.⁷⁹ He offered, moreover, a measure directing an inquiry relative to the instructions of the Attorney-General concerning elections.

To the bill to repeal all statutes relating to supervisors of elections and special deputy marshals, George W. Murray, a member of the Fifty-third and Fifty-fourth Congresses, took vigorous exception.⁸⁰ Asserting that such action would have the effect of promoting the election frauds of the reactionaries in the South, and that already in the States of Louisiana, Mississippi, and South Carolina, a decided minority of the voting population of each Congressional district elected regularly the representative to Congress, he maintained that the present law should not only remain unchanged, but rather, be vigorously enforced. He introduced, moreover, measures designed to assure minority representation in federal elections⁸¹ and to investigate the political conditions in the State of South Carolina.

INTEREST IN ECONOMIC PROBLEMS

Although not equally interesting to the Negro Congressmen as matters of political import, to not a few of them problems essentially economic in character, or at any rate,

⁷⁸ Miller pointed out the inherent weaknesses of the South, the insecurity of investment, violation of the right of property and of contract, the jeopardy of life, and over-assessment of taxes on property held by Northern Whites—as constituting the causes underlying the failure of investors to direct their monies to Southern enterprises. He discussed the amenability of the Negro to civilizing influences and the economic progress that the race had made since its emancipation from slavery. Miller asserted, moreover, that though these remarks might effect the loss of his seat in the next Congress, he conceived it his duty to his party and to his race to defend his people against the dastardly attack of one who pretended to be its friend. *Congressional Record*, 51st Congress, 2nd Session, p. 2691.

⁷⁹ *Ibid.*, pp. 1479–1482; 1524.

⁸⁰ *Ibid.*, 53rd Congress, 1st Session, pp. 2158–2161.

⁸¹ *Ibid.*, 54th Congress, 1st Session, p. 1868; 2nd Session, p. 320.

of economic significance, made a forceful appeal. Measures designed to provide superior facilities for the trade and commerce of their communities constituted, in some instances, the most valuable service rendered by these legislators.

With the interests of his constituency ever in mind, Benjamin S. Turner of Alabama, a member of the Forty-second Congress, proposed various measures to effect local improvements.⁸² He urged a distribution of the public lands, proposed a bill to erect a public building in Selma, sought to increase the appropriation for rivers and harbors from \$50,000 to \$75,000, and made efforts to secure improvements in navigation in Alabama waters.

Of all the Congressmen, Josiah T. Walls of Florida was perhaps the most persistent in the effort to secure improvements for his district and State.⁸³ He introduced numerous bills to erect in his district custom houses and other public buildings, and to improve the rivers and harbors of his State. Walls introduced also bills to provide a lifesaving station along the coast of Florida, to amend an act granting right of way through public lands for the construction of railroad and telegraph lines through Florida, and to create an additional land district. He sought further to amend an appropriation bill to the end that \$50,000 be made available for the establishment of a navy yard at Pensacola.

James T. Rapier, who succeeded Turner in Congress, continued, to some extent, the policy of the latter to secure local improvements.⁸⁴ Of two measures introduced by Rapier, one proposed to erect public buildings in his district, the other to make improvements in the rivers and harbors of the State. He succeeded in having enacted into law his measure to constitute Montgomery, Alabama, a port of entry.

⁸² *Congressional Globe*, 42nd Congress, 2nd Session, pp. 393, 2439, 2447, 2452.

⁸³ *Ibid.*, 42nd Congress, 1st Session, pp. 198, 178, 3793; 3rd Session, p. 220; 43rd Congress, 1st Session, pp. 87, 88.

⁸⁴ *Ibid.*, 43rd Congress, 1st Session, pp. 85, 320, 1333.

The policy of John R. Lynch of Mississippi in the matter of local improvements⁸⁵ did not differ materially from that of Rapier. Lynch proposed measures for the construction of the Memphis and New Orleans Railroad, for the construction of public buildings and custom houses, and for the improvement of rivers within the State of Mississippi.

Smalls, of South Carolina, likewise concerned himself with the matter of local improvements.⁸⁶ He endeavored to secure an appropriation for the restoration of the Beaufort Library which was destroyed during the War. He proposed measures to establish in his district custom houses, docks, warehouses, a weather observation station, and other public buildings. He was interested also in the redemption of lands held by direct taxes and sought to promote a measure for the construction of telegraph lines in the State. Similarly concerned was James E. O'Hara of North Carolina, whose chief measures for improvements⁸⁷ embraced bills to erect public buildings in his district, and to improve the rivers and harbors in his State. Murray, of South Carolina, was some years later advocating the exemption of the Young Men's Christian Association from taxation and the relief of cyclone sufferers in Beaufort, South Carolina.

The Negro Congressman, too, had an interest in the more important economic questions. On the question of the tariff several Congressmen expressed opinions. In the Forty-second Congress, Josiah T. Walls sought to amend the tax and tariff bill relative to certain commodities produced in the State of Florida.⁸⁸ He favored a tariff for protection as opposed to one for revenue only. During a similar discussion, in the House, John R. Lynch, a member of the Forty-seventh Congress, urged a protective tariff⁸⁹

⁸⁵ *Congressional Globe*, 44th Congress, 1st Session, pp. 321, 1203; 47th Congress, 1st Session, pp. 4551, 6146.

⁸⁶ *Ibid.*, 44th Congress, 1st Session, pp. 442, 3754, 4857; 45th Congress, 2nd Session, p. 2706; 47th Congress, 1st Session, p. 6432; 49th Congress, 1st Session, p. 1218.

⁸⁷ *Ibid.*, 49th Congress, 1st Session, pp. 437, 1404, 3748, 4980, 4982, 5069.

⁸⁸ *Congressional Globe*, 42nd Congress, 1st Session, p. 3570.

⁸⁹ *Congressional Record*, 47th Congress, 2nd Session, pp. 2312, 2660, 2870-2871.

for cotton, lumber, and sugar. His argument was that the cotton producers of the South were in favor of a protective tariff. When its producing class (meaning labor) was slave, when all of its products were exported, when all of its wants were supplied from without, and when cotton was its only interest, the South favored cheap labor and free trade. At this time, however, labor was free as distinguished from slave, and it therefore added to the cost of production, while jute, sugar, rice, lumber, and manufactures in the embryonic stage, shared with cotton the interests of producers. These changed conditions, he maintained, demanded for the South a policy of reasonable protection.

Regarding protection as a panacea for all the economic ills of the South, Lynch asserted that it would foster the growth of industries, permit the manufacturing interests to develop, and prevent the recurrence of a situation in which the whole output of raw material is shipped to a foreign market and sold at a price fixed by market, whereas goods manufactured from this same raw material are shipped to the South and sold at a price dictated by the sellers. He said, moreover, that a protective tariff would effect a decrease of American imports in cotton goods and at the same time an increase of employment among the folks at home. With reference to tariff on sugar and lumber, Lynch held that the South needed diversified industries, that the investment of capital in the South was essential to a diversification of industries, that a reasonable interest must be guaranteed to attract the capital, and that inasmuch as protection afforded the only way whereby the interest could be assured, protection for these industries was nationally demanded.

Any consideration of the merits of the arguments advanced by Lynch must not overlook the fact that protection has been the policy of the nation during its periods of remarkable growth. Two arguments largely supported this policy. In the first place, it was early conceived that pro-

tection was essential to the development of infant industries; in the second, the belief was accepted that to an agricultural country a home market is the only guarantee of a regular market. Because, however, of the unprecedented growth of the country and its final achievement of economic independence, other reasons were sought to support the protective policy. It was contended, therefore, that the high wages paid in the United States would discourage producers from introducing new industries which, without protection, must compete on equal terms with the products of low waged Europe. Finally, it was pointed out that the owners of great wealth must suffer tremendous loss of capital if protection were withdrawn from certain industries, compelling them to compete on equal basis with the industries of like kind of foreign countries.

In addition to these economic arguments, moreover, a political argument was not lacking. Ambitious statesmen have ever dreamed of a policy with which to cement the bonds that unite the different sections of the country, making them mutually dependent and, at the same time, independent of Europe. Protection, it was said, would do this. In full justice to Lynch, therefore, it must be said that his doctrine, whether or not sound, was not without basis. His firm stand for a protective tariff conformed to the policy that has recently controlled in the nation.

Sometime thereafter, White, in the Fifty-fifth Congress, had occasion to speak on the Wilson Tariff Law enacted in 1893. This measure⁹⁰ he held to be responsible for the unemployment among mill workers in his community and the loss of contracts by the Southern producers. He advocated, therefore, protection for the industries and labor of America against the pauperism and cheap labor of foreigners.

Several other subjects of economic character were discussed by the Negro Congressmen. During his terms in the Forty-eighth and Forty-ninth Congresses, James E. O'Hara discussed at length the measure on labor arbitration.⁹¹

⁹⁰ *Congressional Record*, 55th Congress, 1st Session, p. 550.

⁹¹ *Ibid.*, 49th Congress, 1st Session, p. 3049.

Shortly thereafter, in the Fifty-first Congress, John M. Langston made informing remarks on the shipping bill.⁹² Presenting in support of his position communications from the chambers of commerce of the principal cities of his State urging his support of the pending bill, facts and figures exhibiting recent progressive development of trade in Newport News, and information showing the growing dependence of world trade upon the development of an American merchant marine, he urged the passage of the shipping bill, with legislation to subsidize an American marine that would assist this nation to recover her former position upon the sea. While pointing out causes underlying the decadence of the merchant marine, he enumerated also the conditions which at that time favored its certain development. . . . He was, therefore, committed to a vigorous prosecution of any constructive plan leading in that direction.

In the Fifty-second Congress, H. P. Cheatham logically discussed the anti-option bill,⁹³ a measure defining "options" and "futures," imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling specified products to obtain a license to do so. Speaking in the behalf of the agricultural class of people whom he represented, Cheatham set forth the disastrous economic effects that dealing in "futures" and "options" has always had on the farming class in fixing the price of cotton and other commodities. As a measure contemplating an adjustment of this most portentous evil in the industrial life of the nation, he urged the passage of the bill then under consideration.

RACIAL MEASURES

In the case of some of the Negro Congressmen measures designed either to promote the welfare of their race or to give publicity to its achievement commanded precedence over all others. Many offered petitions and bills providing

⁹² *Congressional Record*, 51st Congress, 2nd Session, p. 3490.

⁹³ *Ibid.*, 52nd Congress, 1st Session, App., p. 508.

especially for the benefit of Negroes. Benjamin Turner, of Alabama, secured from the Federal Government several thousands of dollars in payment of a claim for damages to his property during the Civil War. In the Fifty-first Congress, Thomas E. Miller submitted two measures in the interest of his race.⁹⁴ The first proposed the establishment of a home for indigent freedmen, and the second sought to authorize the erection of a monument in commemoration of the Negro soldiers who fought for the Union in the Civil War.

The World's Columbian Exposition received much consideration during the first session of the Fifty-second Congress. Henry P. Cheatham,⁹⁵ a representative from North Carolina, during the course of his remarks on the Negro race urged that Congress make provisions for exhibiting, at that fair, the facts and statistics of the progress that the Negro had made during his thirty years of freedom. He deplored the fact that "politics" had crept into the amendment designed to effect his purpose and urged its acceptance as a matter of encouragement and justice to a numerically significant group of the American people. Cheatham proposed, also, a measure which sought to have printed the historical record of the Negro troops in the wars in which they had participated.

The welfare of the race was often reflected in the remarks of George W. Murray, a Congressman from South Carolina. When, in the Fifty-third Congress, there arose, in connection with the proposal that federal aid be extended to the Atlanta Exposition,⁹⁶ the question of the progress of the Negro race, Murray favored such an exposition because, he declared, it would offer opportunity to have registered the facts and statistics of the Negro's achievement since emancipation. As evidence of the inventive genius of his race, he submitted to Congress at this time a list of patents

⁹⁴ *Congressional Record*, 51st Congress, 1st Session, pp. 10,707, 10,708.

⁹⁵ *Ibid.*, 52nd Congress, 2nd Session, pp. 4695, 5974.

⁹⁶ *Ibid.*, 53rd Congress, 2nd Session, p. 8382.

which had been granted by the government for the inventions of Negroes. Murray spoke briefly of what the Negroes were doing and thinking and, in conclusion, gave to the effort for federal aid his unqualified endorsement.

Measures proposed by George H. White, a representative from North Carolina to the Fifty-fifth and Fifty-sixth Congresses, tended mainly to promote the social welfare of his race.⁹⁷ One of these was a resolution for the consideration of a bill to provide a home for aged and infirm Negroes. His other measures of this sort were bills to pay the wages of the Negro Civil War-time employees withheld by the War Department, to incorporate a "National Colored American Association," and to provide for the exhibit of the educational and industrial progress of the Negro at the Paris Exposition of 1900. Few measures of this type could become law.

VARIOUS INTERESTS

Many problems miscellaneous in character interested the Negro Congressmen. Indeed, early in the Forty-second Congress, Josiah T. Walls⁹⁸ supported a measure which proposed to appropriate \$3,000,000 to aid the centennial celebration and international exhibition of 1876. Some-time later, moreover, he urged the recognition of the belligerent rights of Cuba. In the Forty-fourth Congress, John A. Hyman, of North Carolina, offered a measure to provide relief for the Cherokee Indians, who had returned to the "Nation West"⁹⁹ while the measures of his colleague, Jere Haralson¹⁰⁰ of Alabama, comprised such objects as the amendment of the revised statutes of the United States, the relief of the Medical College of Alabama, and the payment of war claims. During his three terms in Congress, John R. Lynch maintained interest in a wide range of subjects.

⁹⁷ *Congressional Record*, 56th Congress, 1st Session, pp. 166, 372, 594, 791; 2nd Session, p. 188; 55th Congress, 2nd Session, p. 3153.

⁹⁸ *Ibid.*, 43rd Congress, 1st Session, App., p. 250; pp. 27, 206. *Congressional Globe*, 42nd Congress, 1st Session, pp. 198, 178.

⁹⁹ *Congressional Record*, 44th Congress, 1st Session, p. 3340.

¹⁰⁰ *Ibid.*, 44th Congress, 1st Session, pp. 771, 2714, 2791.

He spoke at length on a bill "to provide and regulate the counting of votes for President and Vice President and the decision in the disputed election of R. B. Hayes.¹⁰¹ He opposed the bill to repeal the act providing for the pay of Congressmen,¹⁰² but supported a measure to appropriate funds for the establishment of a national board of health.¹⁰³

In the Forty-fifth Congress, R. H. Cain proposed a measure to establish a line of mail and emigrant steam and sailing vessels between certain ports of the United States and Liberia.¹⁰⁴ His colleague, Robert Smalls, was a man of wider interests.¹⁰⁵ Among his various remarks, there must be noted those on the District of Columbia liquor traffic, interstate commerce, and the army reorganization bill. In the latter instance, he attempted to have inserted into the bill an amendment providing for the merging of enlisted men into military units without distinction as to race or color.

In the Senate, B. K. Bruce was afforded opportunity to debate the issues of the day. While most active in offering bills and resolutions, he nevertheless spoke forcefully on several matters of greater than ordinary import. He spoke out fearlessly against the bill restricting Chinese immigration,¹⁰⁶ and while discussing the Indian bill,¹⁰⁷ he took high ground, showing that we had failed in our selfish policy toward the Indian—a policy by which the breeding of hatred and discontent had kept him a fugitive and a vagabond—and emphasized the necessity for the government to do something to civilize the Indian. There must be a change in the Indian policy "if they are to be civilized," said he, "in that the best elements of their natures are to be de-

¹⁰¹ *Congressional Record*, 44th Congress, 2nd Session, pp. 1025-1026.

¹⁰² *Congressional Record*, 44th Congress, 1st Session, p. 118, 119.

¹⁰³ *Ibid.*, 47th Congress, 1st Session, p. 6898.

¹⁰⁴ *Ibid.*, 45th Congress, 2nd Session, p. 1646.

¹⁰⁵ *Ibid.*, 44th Congress, 1st Session, pp. 3457, 3467, 3468; 48th Congress, 2nd Session, pp. 316, 2057; 49th Congress, 1st Session, p. 1919.

¹⁰⁶ *Ibid.*, 45th Congress, 3rd Session, p. 1914.

¹⁰⁷ *Ibid.*, 46th Congress, 2nd Session, pp. 2195-2196.

veloped to the exercise of their best functions, so as to produce individual character and social groups characteristic of enlightened people; if this is to be done under our system, its ultimate realization requires an adoption of a political philosophy that shall make the Indians, as individuals and as a tribe, subjects of American law and beneficiaries of American institutions, by making them first American citizens, and clothing them as rapidly as their advancement and location will permit, with the protecting and ennobling prerogatives of such friendship."

In support of his resolution, proposing to admit as a Senator from Louisiana P. B. S. Pinchback, Mr. Bruce spoke out, cogently presenting the facts as he saw them, contending that the gentleman had been regularly elected and that the National Government would, by declaring his election irregular and not expressive of the will of the people, repudiate the very government that it had recognized.¹⁰⁸ Pinchback was not seated, but the records show that his title was as sound as that of scores of senators whose right has never been questioned.

B. K. Bruce had another good claim to statesmanship. During his incumbency in Congress the question of the improvement of the navigation of the Mississippi and the protection of life and property from the periodical inundations of that stream was of much concern to the whole country. As a spokesman for the State of Mississippi and a statesman seeking to provide facilities for interstate and foreign commerce, B. K. Bruce fearlessly advocated that the Federal Government should appropriate funds to undertake this improvement. He repeatedly offered bills and amendments to this end and endeavored to secure the support of the leaders of Congress to pilot these measures through that body. While the results which Senator Bruce obtained were not proportionate to the effort which he made, he paved the way for other promoters of this enterprise, who have been more successful. Subsequent history shows the importance of this national task and dem-

¹⁰⁸ *Congressional Record*, 44th Congress, 1st Session, pp. 1444, 1445.

onstrates the statesmanlike foresight of Senator Bruce in championing its cause.¹⁰⁹

General remarks by James E. O'Hara comprehended discussion of the bills on oleomargarine and the payment of pensions.¹¹⁰ Towards the former he was opposed, while in the latter he urged that white persons and Negroes be paid according to the same standard. George H. White sought to amend the bill to provide a government for Hawaii.¹¹¹ He gave some attention also to the debate on the civil service law.¹¹² Concerning it he held that the administration of the law had been subversive of the principles of appointment by merit. Indeed, in his opinion, its failure warranted either a return to the spoils system or the adoption of a new policy, by which there would be established in each department of the government a bureau with the duty of determining the fitness of each applicant for a position in that department.

A CRITICAL SURVEY

It appears, then, these two general types of legislation, the one proposing local improvements, the other seeking social justice for the Negro race, were preeminent in the measures proposed by the Negro Congressmen. On the other hand, however, most of these measures, regardless of merit, met in general one of three fates: they were either sidetracked in committee, reported adversely, or defeated after debate in open session.

The character of measures proposed by these Congressmen has been the subject of much adverse criticism. Not a few persons have considered as weakness the tendency to propose measures relating to local improvements, and those racial rather than national in character. The records of Congress show, however, that the motives impelling the Negro Congressmen to propose the type of legislation stated

¹⁰⁹ *Congressional Record*, 45th Congress, 1st Session, pp. 245, 1750; 3rd Session, 1314, 1316, 2309.

¹¹⁰ *Ibid.*, 53rd Congress, 2nd Session, p. 2399; 1st Session, pp. 1392, 1396.

¹¹¹ *Ibid.*, 56th Congress, 2nd Session, p. 3814.

¹¹² *Ibid.*, 55th Congress, 2nd Session, p. 541.

differed in no wise from those underlying similar actions of other Congressmen. Discussing the service of Congress, Mr. Munro, in his *Government of the United States*, says: "First among the merits of congressional government as it has existed in the United States for over one hundred and thirty years, is the fidelity with which law-making has reflected the public opinion of the country."¹¹³ Mr. Munro further says that while Congress has not always been immediately responsive to popular sentiment, it has seldom failed to act when there has come to it an "audible mandate" from the whole country.

If, therefore, the Congress as a whole must be somewhat immediately responsive to the expressed public will, what, indeed, is the precise course of action that a representative, as a matter of policy, must pursue? He is regarded, in the first instance, as representing not his State, but rather a particular Congressional district of his State. His tenure of office runs for but two years, at the expiration of which he must submit to his constituents not a record of constructive statesmanship, based upon his fealty to measures of national or international importance, but rather one alleging the skill with which he has protected the peculiar interests of his district. That he has sought to obtain a new customs house, has opposed a tariff for revenue only, has defended the principle of bimetallism, not indeed in relation to the wider demands of the nation, but because of the particular demands of his constituency, are matters of great practical import to him, for upon these depends the approval or the rejection of his record. The Congressman who aspires to longevity of service is apt, therefore, to determine his proposal and defense of measures of legislation largely, if not wholly, by the expressed opinion of those whom he represents. Regarding the Negro Congressmen, therefore, in the light of the practices common to all Congressmen, there can be offered no valid criticism of the character of their legislation. The records of Con-

¹¹³ Munro, *The Government of the United States*, p. 297.

gress show that these functionaries were, as a matter of policy, interested in their constituents, and that they promoted legislation for general advancement for the reason that the circumstances of the people whom they represented warranted legislation of that sort.

For the tendency of some of the Negro Congressmen to propose legislative measures which were racial in character, two reasons are conspicuously obvious. In the first place, these men regarded themselves the official spokesmen of their race. The power conferred upon them they believed to be evidence of the expectation and confidence of the Negroes in them to secure for the race civil rights, economic opportunity and political preferment. They found, moreover, that legislation granting to Negroes their civil rights failed often to protect them in the exercise of those rights. For such protection, then, these Congressmen had often to contend. These personal, ever present, inherent duties permitted these Congressmen neither time nor energy for the preparation of legislative measures of other types.

Another reason for restricting their efforts to local measures or those peculiar to their race was the rule of politics that all honor for the formulation of national measures must attach to the seasoned veterans in Congress. This custom has become so well established as to be traditional. It could not have been expected that the Negro members, then, should take the lead in Congressional legislation. They faithfully cooperated with the leaders of Congress and generally voted for measures considered productive of the greatest good of the country.

Why did the Negro Congressmen fail to have their measures enacted into law? The path of a bill is fraught with difficulties. The well-known journey through the committee, through both houses of Congress, to the conference and to the President, but few bills complete. Many bills of the Negro Congressmen died of this natural cause. Others because of lack of merit were reported adversely from com-

mittee; still others reported favorably could not withstand the Congressional debate. A few that survived the whole ordeal became laws.

There were two preeminent causes for the failure of some of these bills. The Negro membership in any Congress, in the first place always an exceedingly small minority, was never a determining factor in the passage of a measure proposed by one of this particular group. Secondly, the objects of the suspicion of their party colleagues,¹¹⁴ and regarded by them as an experiment in the legislative program of the nation, these men were not generally able to secure for their measures sufficient white Republican votes. Considered from this point of view, the failure of these measures is in no wise an evidence of the lack of ability and statesmanship.

Of them, James G. Blaine, a Republican leader of fifty years ago, has spoken in a most praiseworthy manner. Conceding the right of the Negroes to sit in Congress and attesting the success of their activities there, he asserted that "they were as a rule studious, earnest, ambitious men, whose public conduct—as illustrated by Mr. Revels and Mr. Bruce in the Senate, and by Mr. Rapier, Mr. Lynch and Mr. Rainey in the House—would be honorable to any race."¹¹⁵

ALRUTHEUS A. TAYLOR

¹¹⁴ A Letter from John E. Bruce, Brooklyn, N. N., a man active during the Reconstruction. June 6, 1921.

¹¹⁵ James G. Blaine, *Twenty Years of Congress*, 1861-1881, Vol. II, p. 515.